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Atty Docket No. 020375-002900US

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ATTENTION: Examiner Frantzy, Poinvil

Group Art Unit 3628

**OFFICIAL COMMUNICATION
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EXAMINER FRANTZY, POINVIL**

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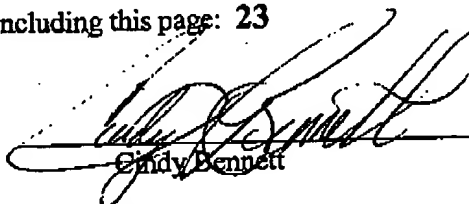
I hereby certify that the following documents in re Application of Stephen Chin, Application No. 09/307,485, filed May 10, 1999 for INTERNET-BASED MONEY ORDER SYSTEM are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Transmittal Form (1 page);
2. Amended Appeal Brief including Appendices (20 pages); and
3. Interview Summary (Appendix B) (1 page).

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Dated: August 15, 2005



Cindy Bennett

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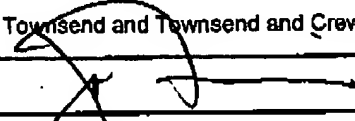
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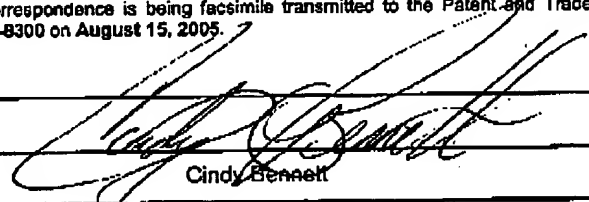
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/307,485
	Filing Date	May 10, 1999
	First Named Inventor	Chin, Stephen
	Art Unit	3628
	Examiner Name	Frantzy, Poinvil
	Attorney Docket Number	020375-002900US
Total Number of Pages in This Submission	21	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Appendices A, B, Evidence, Related Proceedings
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PATENT
- Attorney Docket No.: 020375-002710US

TOWNSEND and TOWNSEND and CREW, LLP

By: 
Cindy Bennett

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Stephen Chin

Application No.: 09/307,485

Filed: May 10, 1999

For: INTERNET-BASED MONEY
ORDER SYSTEM

Customer No. 20350

Confirmation No.: 4894

Examiner: Frantzy, Poinvil

Technology Center/Art Unit: 3628

**AMENDED APPELLANT
BRIEF UNDER
37 CFR §41.37**

MAIL STOP: APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellant offers this Brief in response to the Notification of Non-Compliant Appeal Brief mailed on August 1, 2005. Appellant notes with great frustration that this is the third appeal brief written for the present case. The two preceding appeal briefs went unanswered without reaching the Board. Respectfully, Appellant requests this Appeal Brief be allowed to reach the Board with due haste.

1. Real Parties in Interest

First Data Corporation is the real party in interest of the above-identified application.

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2. Related Appeals and Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

3. Status of Claims

Claims 5-15 and 27-34 are currently pending in the application, but stand rejected by the Examiner. Claims 1-4 and 16-26 are currently withdrawn from consideration. All pending claims stand rejected pursuant to the non-final Office Action mailed September 13, 2004. Claims 27-34 are believed allowable based upon an Interview Summary of February 17, 2005 (attached as Appendix B). The rejections of claims 5-15 and 27-34 are believed to be improper and are the subject of this appeal. A copy of the claims as rejected is attached as Appendix A.

4. Status of Amendments

This Appeal Brief is based upon the state of the claims filed in the Amendment filed June 7, 2004. Amendments filed on March 25, 2005 and April 22, 2005 are un-entered. The first un-entered amendment of March 25, 2005 was in response to the Interview Summary that indicated the case could be allowed if that amendment were entered. A subsequent phone call to Examiner Poinvil on April 13, 2005 confirmed the amendment filed on March 25, 2005 was acceptable to put the case in condition for allowance.

On April 14, 2005, the Examiner called to say the case was no longer allowable after supervisory consultation. The amendment of April 22, 2005 was arranged to overcome the new concerns. In a phone conversation with the Examiner on May 9, 2005, the Appellant could not ascertain that any action was or would be taken on either amendment. Subsequent messages left on May 12 and 13, 2005, requesting status were not returned by the Examiner.

Appellant withdraws the un-entered amendments filed on March 25, 2005 and April 22, 2005. A check of the private PAIR system today confirms the Amendments filed on March 25, 2005 and April 22, 2005 are un-entered and the Examiner has not responded to the

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recent voice mail messages attempting to clarify the situation. Accordingly, this Appeal Brief argues all of claims 5-15 and 27-34 and asks that the amendments of March 25, 2005 and April 22, 2005 not be entered.

5. Summary of Claimed Subject Matter

The embodiment of claim 5 discloses a method of purchasing a money order from a money order system 100 via the Internet 12 for the purchase of goods purchased from an Internet-based auction transaction, where the money order is guaranteed by a third party other than a seller 14 or a buyer 14 in the auction transaction. See Application, page 3, lines 11-16. A bid is awarded to a buyer 14 for goods to be purchased from a seller 14 from an auction process conducted between the buyer 14 and seller 14 via the Internet 12 on an Internet auction site 10. See Id., Fig. 3, step 200; Id., page 4, last line. An Internet site is contacted for the money order system 100 via the Internet 12 by the buyer 14 with a computing device after the bid is awarded to the buyer 14 by the Internet auction site 10. See Id., Fig. 3, step 204; Id., page 5, line 14. Information is transmitted to the money order system 100 via the Internet 12 to purchase the money order for the sale of the goods won during the auction process with the Internet auction site 10, the information including at least the buyer's identification, an identification of the seller 14 and a financial amount for the money order, where the financial amount is related to the bid. See Id., Fig. 3, step 208. A money order is printed in an automated manner that is backed by someone other than the buyer 14 from the money order system 100 upon receipt of the transmitted information from the buyer 14. See Id., page 6, lines 21-26. Physical delivery of the generated money order from money order system 100 to the seller 14. See Id., Fig. 3, steps 216 and 218. Physical delivery of the goods from the seller 14 to buyer 14 is initiated after the money order is printed. See Id., page 4, lines 23-28.

The embodiment of claim 27 discloses a method of purchasing a money order from a money order system 100 via the Internet 12 for the purchase of goods purchased from an Internet-based auction transaction, where the money order is guaranteed by a third party other than a seller 14 or a buyer 14 in the auction transaction. See Id., page 3, lines 11-16. A bid is awarded to a buyer 14 for goods to be purchased from a seller 14 from an auction process

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conducted between the buyer 14 and seller 14 via the Internet 12 on an Internet auction site 10. See *Id.*, Fig. 3, step 204; *Id.*, page 5, line 14; See *Id.*, Fig. 3, step 200; *Id.*, page 4, last line. An Internet site is contacted for the money order system 100 via the Internet 12 by the buyer 14 with a computing device after the bid is awarded to the buyer 14 by the Internet auction site 10. Information is transmitted to the money order system 100 via the Internet 12 to purchase the money order for the sale of the goods won during the auction process with the Internet auction site 10, the information including at least the buyer's identification, an identification of the seller 14 and a financial amount for the money order. See *Id.*, Fig. 3, step 208. The financial amount is related to the bid, and at least some of the information is processed in a billing server associated with the money order system 100. A money order is printed from the money order system 100 with a money order dispensing apparatus upon receipt of the transmitted information from the buyer 14. See *Id.*, page 6, lines 21-26. Physical delivery of the generated money order is initiated from the money order system 100 to the seller 14. Physical delivery of the goods is initiated from the seller 14 to buyer 14 after the money order is printed. See *Id.*, Fig. 3, steps 216 and 218. A hyper-link in the auction site is provided to the money order system site. *Id.*, page 5, third paragraph. A message from the money order system 100 to at least one of the buyer 14 or seller 14 is generated that states that the money order has been sent to the seller 14. See *Id.*, page 6, lines 28-29. Credit card information associated with the buyer 14 is transmitted to the money order system Internet site. See *Id.*, page 5, lines 26-28. The credit card information is electronically processed to make available funds needed for the purchase of the money order by the buyer 14 in the money order system site. See *Id.*, page 7, lines 6-9.

6. Ground of Rejection Presented for Review

Claims 5-15 and 27-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over cited portions of US Pat. No. 5,897,625 to Gustin et al. ("Gustin") in view of cited portions of US Pat. No. 6,141,653 to Conklin et al. ("Conklin").

7. Argument

Ground: Are claims 5-15 and 27-34 are made obvious by a combination of Gustin & Conklin?

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The office action mailed on September 13, 2004 ("Office Action") has rejected claims 5-15 and 27-34 under 35 U.S.C. §103(a) as being unpatentable over Gustin in view of Conklin. Appellants believe a *prima facie* case has not been properly set forth by the Examiner.

Specific Teachings from References

As an initial matter, the Office Action vaguely notes broad swaths from each reference for teaching all the limitations in the claims. Each of these references are around seventy pages long and complex, with many different embodiments. Further, no single cite is given for any specific claim limitation, which makes a response to the arguments largely impractical as the Appellant would have to divine what the Examiner intended in the rejection. For example, two or three method steps from claim 5 are said to be taught in Gustin, Figs. 8, 18B, 19D, 19E, and 20-2; and col. 8, line 34 through col. 12, line 64. In Conklin, the only cite is to claims 1-48 and the abstract, but no specific limitations are mentioned in the context of the argument except to say the reference relates to Internet action sites.

No specific cite to a particular limitation is given in explaining the rejection. Further, no claim is specifically addressed in the four paragraphs in section 2 of the Office Action despite nineteen claims being pending. In trying to understand the basis for these rejections, many of the particular teachings required by the claims could not be found by the Appellant in the cited columns of the reference.

"In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." 37 CFR 1.1.04(c)(2)

As no claim is specifically addressed and the references are broadly cited by the Office, Appellant cannot ascertain the nature of the argument for these long and complex references. Appellant respectfully requests that the Answer specifically address all claims with specific cites to the references.

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Prima Facie Case Not Set Forth

The Office is charged with putting forth a *prima facie* showing of obviousness.

Appellants believe a *prima facie* case of obviousness has not been properly set forth in the Office Action. The basic test is excerpted below:

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.” MPEP §2143, Original Eighth Edition, August, 2001, Latest Revision May 2004.

Appellants believe the rejection has flaws with all three prongs of the above test for establishing a *prima facie* case of obviousness as outlined below.

All Limitations Not Argued by Office

As best understood by the Appellant, only three or four limitations are addressed in the Office Action. In discussing Gustin, two or three limitations from claims 5 and 27 are described in the first paragraph of section 2. Conklin is vaguely cited for Internet auction sites. Nothing in the rejection addresses the other limitations of claims 5 and 27. Additionally, none of the seventeen dependent claims are addressed.

Apparent Official Notice

In the Office Action, there appears to be ample reliance on Official Notice for motivations to combine as well as showing missing claim elements. More specifically, there is apparent Official Noticed used in the last paragraph of page 2 to show some claim limitations and the first paragraph of page 3 to show a motive to combine. An express showing of documentary proof is hereby requested for these propositions in the Office Action that do not cite a reference as the documentary proof procedure is set forth in MPEP 2144.03.

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Motive to Combine

Appellant believes motivation for the specific combination of elements in the cited references is lacking. Page 3, first paragraph, of the Office Action provides the only motive to combine Gustin and Conklin. Nothing specific is given that would help in explaining any specific cobbling together of these two references. Certainly, the stated motive would not give one of ordinary skill in the art enough information to surgically replace some limitations and not others to arrive at some combination of these references.

As noted in the preceding sub-section, an express showing of proof or a cite to a reference is respectfully requested for any motive to combine. Additionally, specific motives for any replacement of components of the references is requested to avoid impermissible hindsight reconstruction.

Reasonable Likelihood of Success in Combining the References

The second prong of the test requires a reasonable likelihood of success in making the suggested combination. Combining the document cashing system of Gustin with the negotiation system of Conklin is not a trivial task. One of ordinary skill in the art would not be able to these references in the suggested manner with any likelihood of success and substantial engineering effort and experimentation would be required. To say differently trivializes the substantial effort required to design and implement these types of systems.

8. Claims Appendix

Appendix A is submitted herewith containing the claims involved in the appeal

9. Evidence Appendix

Claims 27-34 are believed allowable based upon an Interview Summary of February 17, 2005 (attached as Appendix B).

10. Related Proceedings Appendix

Not applicable

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8. Conclusion

Seven office actions have been issued on the present case and three appeal briefs have been filed. In the interests of justice, Appellant's believe their constitutional right to a patent should not be unduly impeded any further. For all the forgoing reasons, Appellants respectfully request the rejection be withdrawn and the claims be allowed.

As this is the third appeal brief filed for the present case, the normal fee is believed not required, pursuant to 37 C.F.R. §1.17(c). If this understanding is incorrect, please debit deposit account 20-1430 with any fees that may be due in association with the filing of this Appeal Brief.

If for any reason the Office believes a telephone conference would in any way expedite resolution of the issues raised in this appeal, the Office is invited to telephone the undersigned attorney at (303) 571-4000.

Respectfully submitted,

Thomas D. Franklin
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APPENDIX A

The claims pending in the application are as follows:

1. (Withdrawn) A method of purchasing a money order by a user via the Internet for delivery to an intended recipient, wherein the money order is backed by a third party other than the user or the intended recipient, comprising the steps of:

providing a money order system capable of generating money orders backed by a third party other than the user or the intended recipient;

contacting the money order system with a computing device via the Internet by the user desiring to purchase a money order in a financial amount;

transmitting information to the money order system via the Internet that is required to purchase said money order, said information including at least a user's identification, an identification of the intended receiver of the money order and the financial amount for the money order;

automatically printing a money order backed by a third party with said money order system upon receipt of said transmitted information; and

initiating physical delivery of said money order from the money order system to said intended receiver.

2. (Withdrawn) A method of purchasing a money order by the user via the Internet for delivery to the intended recipient, wherein the money order is backed by a third party other than the user or the intended recipient as recited in claim 1 further including the step of generating an e-mail message to at least one of said user or intended receiver of said money order that said money order has been sent to said intended receiver.

3. (Withdrawn) A method of purchasing a money order by the user via the Internet for delivery to the intended recipient, wherein the money order is backed by a third party other than the user or the intended recipient as recited in claim 2 further including the steps of:

transmitting credit card information associated with said user; and

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electronically processing said credit card information to make available funds needed for said purchase of said money order by said user.

4. (Withdrawn) A method of purchasing a money order by the user via the Internet for delivery to the intended recipient, wherein the money order is backed by a third party other than the user or the intended recipient as recited in claim 2 further including the steps of:

establishing a funds account on said users behalf in said money order system, said funds account having a predetermined amount of monetary funds;

electronically deducting a predetermined amount of funds from said funds account in accordance with the amount of funds required to generate said users purchased money order.

5. (Previously Presented) A method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than a seller or a buyer in the auction transaction, the method including the steps of:

awarding a bid to a buyer for goods to be purchased from a seller from an auction process conducted between said buyer and seller via the Internet on an Internet auction site;

contacting an Internet site for said money order system via the Internet by said buyer with a computing device after said bid is awarded to said buyer by the Internet auction site;

transmitting information to said money order system via the Internet to purchase said money order for said sale of said goods won during the auction process with the Internet auction site, said information including at least said buyer's identification, an identification of said seller and a financial amount for the money order, wherein said financial amount is related to the bid;

printing in an automated manner a money order that is backed by someone other than the buyer from said money order system upon receipt of said transmitted information from said buyer;

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initiating physical delivery from money order system said generated money order to said seller; and

initiating physical delivery of said goods from said seller to buyer after said money order is printed.

6. (Previously Presented) A method of purchasing the money order from the money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than the seller or the buyer in the auction transaction as recited in claim 5 further including the step of providing a hyper-link in the auction site to the money order system site.

7. (Previously Presented) A method of purchasing the money order from the money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than the seller or the buyer in the auction transaction as recited in claim 6 further including the step of generating a message to at least one of said buyer or seller stating that said money order has been sent to said seller.

8. (Previously Presented) A method of purchasing the money order from the money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than the seller or the buyer in the auction transaction as recited in claim 7 further including the steps of:

transmitting credit card information associated with said buyer to said money order system Internet site; and

electronically processing said credit card information to make available funds needed for said purchase of said money order by said buyer in said money order system site.

9. (Previously Presented) A method of purchasing the money order from the money order system via the Internet for the purchase of goods purchased from an Internet-based

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auction transaction, wherein the money order is guaranteed by a third party other than the seller or the buyer in the auction transaction as recited in claim 7 further including the steps of:

establishing a funds account on said buyers behalf in said money order system,
said funds account having a predetermined amount of monetary funds;

electronically deducting a predetermined amount of funds from said funds
account in accordance with the amount of funds required to generate said money order generated
for the buyer.

10. (Previously Presented) A method of purchasing the money order from the money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than the seller or the buyer in the auction transaction as recited in claim 7 further including the step of shipping the goods from said seller to buyer prior to said sellers receipt of said money order and after said information is transmitted from said money order system to said seller indicating that said money order is being delivered to said seller.

11. (Previously Presented) A system participating in an auction and paying with a money order that is backed by a third party, the system comprising:

a server configured to conduct an Internet-based auction via a web site, said server further configured to cause to be displayed, via said web site, a money order request selection selectable by a bidder that participated in an auction conducted via said web site; and

a money order sub-system that is accessed via said web site upon selection by the bidder of said money order request selection, said money order sub-system configured for processing a money order request, said processing comprising:

requesting funds for a money order transaction upon receipt of a money order request;

upon confirmation of receipt of the requested funds, instructing a money order dispensing apparatus to print a money order that is backed by someone other than the bidder; and

confirming to the bidder that the money order request has been fulfilled with an automatically-generated electronic message.

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12. (Previously Presented) A system participating in an auction and paying with a money order that is backed by a third party according to Claim 11 wherein said money order sub-system comprises a money order server configured to communicate with said auction server, and a processor, said money order server coupled to said processor.

13. (Previously Presented) A system participating in an auction and paying with a money order that is backed by a third party according to Claim 12 wherein said processor is programmed to request funds for a money order transaction upon receipt of a money order request by transmitting credit card information to a billing server.

14. (Previously Presented) A system participating in an auction and paying with a money order that is backed by a third party according to Claim 12 wherein said money order server is further configured to communicate with a seller to confirm that a money order has been authorized.

15. (Previously Presented) A system participating in an auction and paying with a money order that is backed by a third party according to Claim 12 wherein said money order sub-system further comprises a database coupled to said processor, said database comprising data for submitting an electronic funds transfer request and data for money order authorizations.

16. (Withdrawn) A money order system for processing a money order request, the money order system configured to communicate with a money order dispensing apparatus, said money order system comprising:

a server for receiving communications from and transmitting communications to a money order requestor;

a memory for storing information relating to money order transactions;

a processor coupled to said server and to said memory, said processor programmed to:

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request funds for a money order transaction upon receipt of a money order request;

upon confirmation of receipt of the requested funds, instruct the money order dispensing apparatus to generate a money order before the money order is automatically sent to a recipient; and

wherein the money order is backed by a third party other than the money order requestor or the recipient.

17. (Withdrawn) A system according to Claim 16 wherein said processor is further programmed to confirm to the requestor that the money order request has been fulfilled.

18. (Withdrawn) A system according to Claim 16 wherein said memory comprises a database, said database comprising data for submitting an electronic funds transfer request and data for money order authorizations.

19. (Withdrawn) A database, comprising:
data for submitting an electronic funds transfer request and based on a money order generation request from a requestor;
data on a completed electronic funds transfer;
data on delivery of a generated money order;
data on authorization of generation of a money order; and
data on a confirmation, for the requestor, of the money order authorization.

20. (Withdrawn) A method for purchasing a money order utilizing a money order system, wherein the money order system is accessible online through a wide area network, said method comprising:

submitting, to the money order system and via the wide area network, a request for a money order, the request including authorization to debit a card account, wherein the submitting step is initiated by a money order sender;

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receiving confirmation by a money order sender, via the wide area network, that the money order request has been fulfilled;

issuing a money order, wherein the money order is backed by a third party other than the money order sender or a recipient; and

causing delivery of the money order to the recipient.

21. (Withdrawn) A method for purchasing a money order utilizing a money order system, wherein the money order system is accessible online through a wide area network according to Claim 20 wherein submitting a request for a money order comprises the steps of:

selecting a money order request selection on a web page;

entering data requesting the money order including information identifying an account to be debited; and

authorizing debiting the account.

22. (Withdrawn) A method for generating a money order from a money order dispensing apparatus, wherein the money order is backed by a third party, said method comprising:

receiving, from a requestor and via a wide area network, a money order request;

requesting an electronic funds transfer upon receipt of the money order request, whereby the electronic funds transfer is used to pay for a money order;

instructing the money order dispensing apparatus to generate the money order upon receipt of the funds in response to the electronic funds transfer request, wherein the money order is backed by someone other than the requestor; and

initiating delivery of the money order after generation to a location associated with a recipient.

23. (Withdrawn) A method for generating a money order from a money order dispensing apparatus, wherein the money order is backed by a third party according to Claim 22 wherein requesting an electronic funds transfer comprises transmitting credit card information to a billing server.

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24. (Withdrawn) A method for generating a money order from a money order dispensing apparatus, wherein the money order is backed by a third party according to Claim 22 further comprising the step of notifying a party that is to receive the money order that the money order has been authorized.

25. (Withdrawn) A method for generating a money order from a money order dispensing apparatus, wherein the money order is backed by a third party according to Claim 22 further comprising the step of transmitting the money order to a party.

26. (Withdrawn) A method of purchasing a money order by the user via the Internet for delivery to the intended recipient, wherein the money order is backed by a third party other than the user or the intended recipient as recited in claim 1, wherein the sending step is initiated by the money order system.

27. (Previously Presented) A method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction, wherein the money order is guaranteed by a third party other than a seller or a buyer in the auction transaction, the method including the steps of:

awarding a bid to a buyer for goods to be purchased from a seller from an auction process conducted between said buyer and seller via the Internet on an Internet auction site;

contacting an Internet site for said money order system via the Internet by said buyer with a computing device after said bid is awarded to said buyer by the Internet auction site;

transmitting information to said money order system via the Internet to purchase said money order for said sale of said goods won during the auction process with the Internet auction site, said information including at least said buyer's identification, an identification of said seller and a financial amount for the money order, wherein:

said financial amount is related to the bid, and

at least some of said information is processed in a billing server associated with the money order system;

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printing a money order from said money order system with a money order dispensing apparatus upon receipt of said transmitted information from said buyer;
initiating physical delivery of said generated money order from the money order system to said seller;
initiating physical delivery of said goods from said seller to buyer after said money order is printed;
providing a hyper-link in the auction site to the money order system site;
generating a message from the money order system to at least one of said buyer or seller stating that said money order has been sent to said seller;
transmitting credit card information associated with said buyer to said money order system Internet site; and
electronically processing said credit card information to make available funds needed for said purchase of said money order by said buyer in said money order system site.

28. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, further comprising a step of transmission of funds associated with the credit card information to benefit the money order system.

29. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, further comprising a step of transmitting funds to a bank associated with the money order system to fund the money order.

30. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, further comprising a step of transmitting funds to a bank associated with the money order system to fund the money order using an automated clearing house (ACH).

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31. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, wherein the money order system comprises at least two of:

- a server;
- a firewall;
- a processor;
- the money order dispensing apparatus; and
- a database.

32. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, further comprising steps of:
establishing a funds account on said buyer's behalf with said money order system, said funds account having a predetermined amount of monetary funds; and
electronically deducting a predetermined amount of funds from said funds account in accordance with the amount of funds required to generate said money order.

33. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, further comprising a step of communicating with the seller to confirm that the money order has been authorized.

34. (Previously Presented) The method of purchasing a money order from a money order system via the Internet for the purchase of goods purchased from an Internet-based auction transaction according to Claim 27, wherein the money order system comprises a database comprising data for submitting an electronic funds transfer request and data for money order authorizations.

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EVIDENCE APPENDIX

Attached Interview Summary dated February 17, 2005

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RELATED PROCEEDINGS APPENDIX

None

APPENDIX 2

Interview Summary

Application No.

09/307,485

Applicant(s)

CHIN, STEPHEN

Examiner

Frantzy Poinvil

Art Unit

3628

All participants (applicant, applicant's representative, PTO personnel):

(1) Frantzy Poinvil

(3) _____

(2) Daran Gibby

(4) _____

Date of Interview: 17 February 2005Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____Claim(s) discussed: 5-15 and 27-34Identification of prior art discussed: Gustin, ConklinAgreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative explains the invention and states that the prior art of record fails to teach or suggest the claimed invention. Examiner indicates that claim 27 appears to define over the prior art and states that the prior art rejection of claim 5 and their dependents will be maintained.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required